


Teleworking

	Louisiana Department of Health (LDH)	
	Policy Number	82.1
	Content	Establishes guidelines and processes for employees to work from home
	Effective Date	September 27, 2012
	Inquiries to	Human Resources, Training and Staff Development P. O. Box 4818 Baton Rouge, Louisiana 70821-4818 Phone: (225) 342-6477 FAX: (225) 342-6892

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/overrule/supersede the conflicting section within the Program Office or facility policy.

I. POLICY

This policy permits management of The Louisiana Department of Health (LDH) to allow designated employees in approved positions to telework at home or another location for all or part of their regular work week when the individual employee, his/her supervisor, and section head agree to a teleworking arrangement. Teleworking cannot be allowed to adversely affect productivity or the efficient operation of the organization. LDH management will decide whether a specific job may be performed at an alternate work site and whether an individual employee may work effectively without on-site supervision in a teleworking arrangement.

LDH will allow teleworking on a limited basis and only when certain conditions are met, but may invoke mandatory teleworking in times of disaster, crisis or for other business needs. Employees must recognize that teleworking is not a right or an entitlement; it is not a department-wide benefit. The agreement is not permanent and it may be modified or terminated if LDH's needs are not met.

The teleworking agreement should not be considered an employment contract, and the

LDH retains the right to determine who should be considered for participation. LDH may terminate the teleworking agreement at its discretion at any time. However, reasonable notice (such as two weeks) will be attempted.

For some positions, LDH understands that teleworking is part of the defining nature of the job. In the case of employees whose entire job function is done through telework, the conditions of employment will be determined by Civil Service, HR and the employee's supervisor.

II. PURPOSE

The purpose of this policy is to establish guidelines and procedures relative to teleworking. Within that context, the policy should:

- Assist management and employees in understanding the teleworking environment.
- Provide a general framework for the teleworker.
- Improve recruitment and retention of employees.
- Improve job satisfaction and employee morale.
- Help employees balance work/life needs and reduce commuting costs.
- Reduce unscheduled absenteeism and turnover.
- Enhance the state's image as an employer of choice and boost the state's image as an innovative employer.
- Advance the Department's efforts to comply with the Governor's Executive Order (BJ 08-08) on Green Government.
- Assist the local community by reducing traffic congestion and vehicular emissions.
- Reduce the impact of traffic jams and bad weather on employee productivity.
- Provide alternatives to continuing operations and essential functions in times of crises.

III. APPLICABILITY

This policy is applicable to all employees of The Louisiana Department of Health, both general and ancillary appropriation.

IV. DEFINITIONS

Appointing Authority: the officers and employees authorized by statute or by lawfully delegated authority to make appointments to positions in the State Service.

Primary Work Site: an employer's place of work where the employee would normally be located.

Teleworking: a work arrangement that allows employees to regularly perform officially assigned job duties at home or other work sites geographically convenient to the residence of the employee and away from his/her primary work site, for all or part of their regular work week, in accordance with a teleworking work agreement.

Teleworking Work Agreement: the written agreement between the employer and the employee that details the terms and conditions of an employee's work away from his/her primary work site. The agreement can be obtained from the Division of Human Resources website.

V. SCOPE

A. Eligibility

Before a teleworking arrangement can be considered, the following conditions must be met:

- Employee must have a Performance Evaluation System (PES) rating of Successful or higher on the most recent PPR rating. If an employee receives a PES rating below Successful while teleworking, the employee will no longer be eligible for teleworking.
- Employee must have maintained a good work record prior to making the request to telework (for example, no excessive or unexcused absences and no corrective or disciplinary actions within the last 12 months of employment).
- The employee's duties must be suitable to be performed at the alternate work site without direct supervision for all or part of the work week. This may preclude managers and supervisors from teleworking.
- Employee must have been continuously employed with LDH or the current section for at least 12 months, unless his or her entire job function is performed through teleworking.

In addition to the above criteria, the employee must have a suitable place in his home or at the alternate work site in which to work. The employee must be able to supply any needed equipment that cannot or will not be provided by his program office. This may include broad band connectivity. The alternate place of work must be a suitably private work environment.

B. Conditions of Employment

Teleworking does not change the conditions of employment or required compliance with LDH policies and procedures, Civil Service Rules, or any other federal or state laws, policies, and procedures while working at the alternate work site.

An employee's compensation and benefits will not change as a result of teleworking. Teleworking should not affect any opportunity for job mobility. However, if the teleworker's duties change, it may not provide teleworking opportunities.

C. Hours of Work

The teleworking employee must have an approved work schedule adopted in accordance with LDH policy. Management must ensure proper compliance and documentation of work

hours, in particular ensuring compliance with the Fair Labor Standards Act (FLSA) and overtime policies and procedures.

The teleworking employee is expected to maintain at least the same level of availability, levels of production and quality of work as though the employee were working out of the primary work site.

Teleworking may not be used for child or adult care or to perform other personal business during work hours, or for any purpose for which leave should be requested. If at any time an employee is tending to a dependent child or adult and therefore not performing official duties, the employee must take leave as appropriate. Teleworking is not to be used for personal accommodation of employees.

Should circumstances arise whereby the teleworker cannot work at the alternate work location, i.e., loss of electricity, home emergencies, etc., the teleworker must contact his/her supervisor and he/she may be required to report to the primary work location, a different designated and approved alternate work location, or appropriate leave may be granted.

Employees may work overtime only with supervisory approval and in accordance with LDH and their office's overtime policies. Teleworking may be canceled for employees who work unapproved overtime.

D. Attendance at Meetings/Reporting to Primary Work Site on Teleworking Days

Teleworkers are expected to attend all assigned meetings related to the performance of their job, including any held on a teleworking day. LDH's needs take precedence over the employee's needs. Business meetings with other employees or clients shall not be held at the alternate work location.

The supervisor or section head may require the teleworker to report to the primary work site if business needs require it. The teleworker's refusal to do so may be considered insubordination and subject to disciplinary action.

E. Use of Leave

Teleworking may not be used in place of annual, sick, Family and Medical, or any other type of leave. Requests to use leave must be approved in accordance with the policy of LDH and the employee's section. However, management may determine whether or not it is appropriate to offer teleworking as an opportunity for partial or full return to work from traditional sick leave, short-term or long-term disability.

F. Official Domicile and Mileage Reimbursement

The official domicile of a teleworking employee shall be the parish in which their assigned office or program is located. A teleworking employee may not submit nor receive

reimbursement if he is required to report to the primary work site. The employee will remain eligible for reimbursement for travel to other locations outside his official domicile in accordance with LDH policy and state travel regulations.

G. Equipment and Supplies

The Department will provide State-owned equipment to employees who have an approved Telework Agreement. Only State-owned equipment shall be approved for use by employees who have an approved Telework Agreement. Use of Department equipment and networks is for official business purposes only and must comply with applicable laws, policies, procedures and protocol. Use of all technical equipment must adhere to the guidelines established in the LDH IT Workstation Usage Security Management Policy. The agency will provide the necessary equipment and supplies that are needed for the teleworker to perform job duties successfully. This may include desktops, monitors, laptops, thin clients, storage devices, and other IT equipment provided by the agency in accordance with LDH IT and other policies and guidelines. Out of pocket expenses for supplies normally available through the agency will not be reimbursed. It is LDH's responsibility to maintain and repair any equipment that is supplied to the teleworker by LDH. Department technicians will not make "house calls" for equipment set up or service. If any in-person service or support is necessary, the employee is responsible for bringing the equipment to the primary work site for that purpose. Department technicians are available to assist employees by phone or remote connection. Should a delay in the repair or replacement of equipment occur or any other circumstance under which it would be impossible for the employee to telework, the employee may be assigned to do other related work and/or report to the primary work site or other work location.

Agency-owned equipment, software, telephone services, supplies and furniture at the alternate work site shall be limited to that authorized by the agency and used only for agency business. Personal use of these materials is prohibited, even during non-working hours. Teleworkers assume responsibility for the physical security of agency equipment, supplies and information in their possession while teleworking. Teleworkers are responsible for obtaining a high speed internet connection prior to the teleworking agreement being approved as well as maintaining this connection for the duration of the telework agreement.

LDH will not be liable for damages to an employee's personal or real property while the employee is working at the approved alternate work site. The teleworker shall maintain his/her in-home workstation in a safe condition, free from hazards and other dangers to the employee and equipment. When the teleworker uses his own equipment, he/she shall be responsible for equipment repair and maintenance.

LDH will not be responsible for operating costs, home maintenance, or any other incidental cost. The employee is responsible for obtaining necessary homeowner's or renter's liability insurance coverage and providing verification thereof if necessary.

Materials, documents, etc., that the teleworker transports to and from the primary work site to the home office are his responsibility and must be kept confidential and secure. The employee agrees to protect the agency records from unauthorized disclosure or damage and will comply with agency policies and procedures regarding such matters.

Any equipment, supplies, software, hardware, etc., purchased by the agency remains agency property and must be returned at the conclusion of a teleworking arrangement or when requested by agency management. Teleworkers using State-provided software will adhere to the manufacturer's licensing agreements, including the prohibition against unauthorized duplication. To protect confidentiality and guard against data contamination, teleworkers will follow agency approved data security procedures.

H. Right to Monitor Work Product and Inspect Alternate Work Site

Teleworking employees are subject to monitoring of their e-mail, electronic review of their work, unannounced visits or inspections at their alternate work site during normal business hours, and other methods used to adequately document and judge their work product and performance.

I. Injuries During Working Hours

The employee, supervisor, and agency must follow LDH and state policies regarding the reporting of injuries for employees injured while at work.

The State of Louisiana is not responsible for any injuries to family members, visitors, and others in the employee's home workspace. The teleworking employee may not have business guests at the alternate workplace or any other location except the agency's offices.

J. Office Closures

On rare occasion, State government closes offices for weather-related (i.e., ice, snow, flooding, etc.), building-related (i.e., road closures, lack of heat, AC or water, etc.) or other reasons as necessary. In the event of such closure, unless otherwise directed, an employee scheduled to work at a closed office is not expected to work; and, the employee's scheduled work hours are coded to Leave State Office Closure (LSOC) or Leave Special Act of God (LSAG) with the approval of the employee's Appointing Authority. By contrast, an employee scheduled to work at home is expected to telework as scheduled, so long as the home working conditions are safe and the necessary technology available. An employee who is scheduled to work at home but who does not telework during such closure will not be approved for LSOC. An employee who is scheduled to work at home but who does not telework during such closure will not be approved for LSOC or LSAG unless they were unable

to telework for weather, building or office closure-related reasons (i.e., voluntary or mandatory evacuation order, home power outage, agency systems failure, etc.).

K. Communication

It is important to maintain and adhere to LDH communication protocol through prompt return of phone calls, adherence to scheduled conference calls, emails, text messages and other forms of remote communication. Teleworking employees must be reachable via telephone, during agreed upon work hours. Teleworkers must notify the office when unavailable during telework hours, as expected when leaving the traditional office during the work day. Telework employees are required to respond to each meeting request they receive. Meeting acceptance responses must indicate that they are a telework employee and provide the telephone number where they can be reached. The meeting organizer will confirm if they will be calling the telework employee or provide conference call information.

L. Confidentiality

Telework employees must understand that they are not permitted to print documents at home. If it is necessary to print documents, they may only be printed and routed to the printer which is located in the assigned office. All business related email correspondence must be conducted through the employee's LDH Microsoft Outlook account. Under no circumstance is any business related document to be forwarded to a personal email account, and/or any Protected Health Information (PHI) to be written down in the teleworker's home environment. If there is a need to capture information, it may be placed in a Word document and saved to your computer.

Employees participating in the Telework program are fully responsible and liable for upholding the privacy and security of an individual's Protected Health Information (PHI) as required by the Department's HIPAA Policies. In the event that there is a breach of an individual's privacy, the employee is required by law to report the breach immediately to their supervisor and/or manager. Failure to uphold these policies will be grounds for immediate dismissal.

VI. PROCEDURE

Each Appointing Authority or his designee may consider and approve employees and positions for teleworking within the restrictions of this policy

The employee must present to his/her immediate supervisor the Teleworking Work Agreement. The supervisor and employee must review all aspects of the teleworking arrangement, including the manner and frequency of communication, and any agreed upon performance indicators. If the supervisor is satisfied that the employee and his job duties are suitable for a teleworking arrangement, the supervisor should then complete his/her portion of the agreement and forward it to the Appointing Authority or his designee with a recommendation.

The Appointing Authority or his designee will review the request and give final approval or denial to the request. Any changes in the agreement must be reviewed with the employee and supervisor in advance and agreed to by both.

Once the request is approved by the Appointing Authority or his designee, the Teleworking Work Agreement shall be maintained in the Supervisory file and must be readily available for audit purposes. A copy must be given to the employee and a copy sent to the Division of Human Resources. **All appropriate sections must be completed prior to the proposed effective date of the Teleworking Work Agreement.**

Should the employee leave LDH, choose to no longer telework, or the telework option end, LDH will retrieve, or the employee shall return all state owned equipment, software, data files and other state assets from the teleworking employee. These assets must be returned by the employee, or the state will be allowed to retrieve any assets, within seven (7) calendar days of the termination of the teleworking agreement.

VII. RESPONSIBILITIES

Deputy/Assistant Secretaries are responsible for:

- Holding Appointing Authorities under their supervision accountable for adhering to all aspects of this policy.

Appointing Authorities are responsible for:

- Approving/disapproving teleworking requests in accordance with the criteria contained in this policy.
- Monitoring the results of teleworking agreements to assure that agency goals are met.

Managers/Supervisors are responsible for:

- Complying with this policy as directed by the Appointing Authority.
- Developing a method to audit and monitor an employees' work at the alternate work site to ensure that the employee is complying with the terms of the Teleworking Work Agreement and the requirements of his position.
- Establish a reporting requirement system to facilitate contact for the employee to receive or turn in assignments.

Office of Human Resources is responsible for:

- Ensuring the Telework Policy is applicable, accurate and complies with all laws and rules regarding time, compensation, conditions to ensure confidentiality and adherence to all policies.
- Providing training and guidance on this policy.
- Maintaining a file on those employees who have elected to telework and those who requested to telework but were denied.

- Ensuring that this policy is posted and available to all LDH employees.

Employees are responsible for:

- Adhering to all aspects of this policy.
- Adhering to all LDH and Civil Service policies, procedures and protocol.
- Devoting full attention to job duties.
- Having a designated work area at the alternate work site which includes the appropriate internet connection.
- Adhering to applicable property control policies and procedures.
- Adhering to current processes for contacting IT support for technical problems.
- Adhering to all LDH IT Security and Password Policies as well as Office of Information Technology Policies.
- Alerting supervisor and/or manager immediately of equipment failure, repair or replacement.

VIII. VIOLATIONS

Failure to comply with provisions of this policy may result in cancellation of the teleworking arrangement and/or disciplinary action being taken up to and including termination.

Nothing in this policy should be construed as precluding LDH from taking any appropriate disciplinary action against an employee who fails to comply with the provisions outlined herein.

IX. QUESTIONS

Questions regarding this policy should be directed to the Division of Human Resources, Training and Staff Development.

X. EXCEPTIONS

Requests for exceptions to this policy shall be justified, documented and submitted to the appointing authority for consideration.

XI. REVISION HISTORY

Date	Revision
September 27, 2012	Policy created
	Policy revised